

HM-666

REMARKS

The office action of February 16, 2010, has been carefully considered.

It is noted that claims 1-6 are rejected under 35 U.S.C. 112, first paragraph.

Claims 3-4 and 6 are rejected under 35 U.S.C. 102(b) over the patent to Tada et al.

Claims 3-6 are rejected under 35 U.S.C. 103(a) over Tada et al.

Claims 1-6 are rejected under 35 U.S.C. 103(a) over WO 03/027246 to Brisberger, in view of Tada et al. and the patent to Paramonov.

In view of the Examiner's rejections of the claims, applicant has amended claim 3.

It is respectfully submitted that the claims now on file contain subject matter which is sufficiently described in the

HM-666

specification so as to reasonably convey to one skilled in the art enable one skilled in the art that, at the time the application was filed, the inventors had possession of the claimed invention. Applicant directs the Examiner to the specification at page 11, lines 5-11, where it is stated in connection with the purpose of supplying the volume flow of coating metal to the bath for maintaining the level in the bath, "the entire amount (volume flow) of coating metal 2 required for this purpose..." can be supplied by the pump 14. From this statement, taken together with the remainder of the specification as well as the drawings, one skilled in the art would understand that the level of the coating metal in the bath is only determined by the volume flow since.

In view of these considerations it is respectfully submitted that the rejection of claims 1-6 under 35 U.S.C. 112, first paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the methods and constructions disclosed in the references.

Turning now to the references, it can be seen that the patent

to Tada et al. discloses a hot dip coating apparatus and method. Tada et al. do not disclose or suggest replenishing the coating metal in order to maintain a desired level of coating metal in the tank. In the reference the level of coating metal is maintained by overflow of the metal over the top of the dam 9 from where it is returned to the tank 13. There is no teaching or disclosure that the volume of melt supplied by the passage is used to maintain the level in the coating tank since it is necessary to have overflow of melt in the reference. The dam 9 is what determines the level of the melt. Applicant has amended claim 3 in an effort to more clearly distinguish the claimed invention from the reference. Claim 3 now recites that the level of the coating metal is determined only by the volume flow. This is not disclosed by Tada et al. Thus, Tada et al. do not disclose or teach the presently claimed invention, or render it obvious.

In view of these considerations it is respectfully submitted that the rejection of claims 3-4 and 6 under 35 U.S.C. 102(b) and the rejection of claims 3-6 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

Brisberger discloses a method and device for coating the surface of elongated metal products. Although Brisberger does

state that the height of the bath can be decreased to obtain desired coating results, there is no teaching of how the level of the metal in the tank is maintained. In Brisberger the level of the melt bath is changed based on coating thickness (see paragraphs [0026] and [0053-0059]), there is no teaching of replenishing melt to the bath to maintain a level in the bath only using a predetermined volume flow of the melt, as in the present invention. Brisberger does not deal with maintaining a level by replenishing, but rather only discusses changing the level in the bath based on coating thickness.

The patent to Paramonov et al. discloses a process for coating the surface of elongated materials. Paramonov et al. teach adjusting the level of coating material in the melt bath by raising and lowering an immersion body 31 in an inner vessel 25 of the coating tank. There is no teaching that the volume of melt supplied by the passage is used to maintain the level in the coating tank. In the presently claimed invention, the level of the coating metal is determined only by the volume flow. This is not taught by Paramonov et al.

The Examiner combined Brisberger with Tada et al. and Paramonov et al. in determining that claims 1-6 would be

HM-666

unpatentable over such a combination. Applicant submits that the combination of references does not teach or render the present invention obvious. There is no teaching of replenishing melt to the bath to maintain a level in the bath only using a predetermined volume flow of the melt, as in the present invention. The references do not deal with maintaining a level by replenishing, as in the present invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-6 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

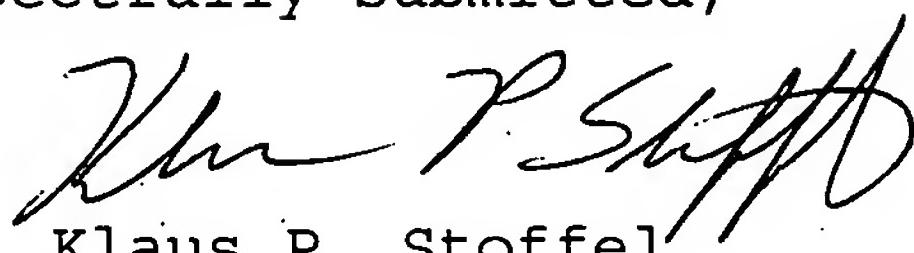
Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

HM-666

Respectfully submitted,

By



Klaus P. Stoffel

Reg. No. 31,668

For: Friedrich Kueffner

Reg. No. 29,482

317 Madison Avenue, Suite 910

New York, New York 10017

(212) 986-3114

Dated: May 17, 2010

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on May 17, 2010.

By:



Klaus P. Stoffel

Date: May 17, 2010